



## TRANSMITTAL FORM

(for all correspondence after initial filing)

Total number of pages in this submission =

Application #	10/789,616
Confirmation #	7645
Filing Date	February 27, 2004
First Inventor	Mark Steven Wuthnow
Art Unit	2645
Examiner	Patel, Hemant Shantilal
Docket #	C02-0126-000 CI099/0CI21

### ENCLOSURES (check all that apply)

- |   |   |
|---|---|
| <input type="checkbox"/> Fees calculated below                  | <input type="checkbox"/> Response to Missing Parts/Incomplete Appl. |
| <input checked="" type="checkbox"/> Request for Reconsideration | <input type="checkbox"/> Certified Copy of Priority Document(s)     |
| <input type="checkbox"/> including Attachment(s)                | <input type="checkbox"/> Information Disclosure Statement           |
| <input type="checkbox"/> After Final Amendment/Reply            | <input type="checkbox"/> Drawing(s)                                 |
| <input type="checkbox"/> including Attachment(s)                | <input type="checkbox"/> Terminal Disclaimer                        |
| <input type="checkbox"/> Extension of Time Petition             | <input type="checkbox"/>  |
| <input type="checkbox"/>  | <input type="checkbox"/>  |

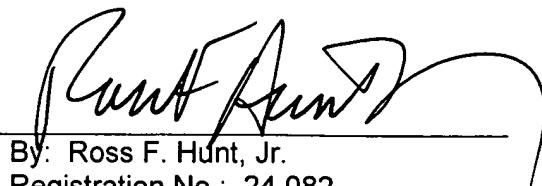
### FEES CALCULATION: For claims if required and/or other fees as shown below:

	NOW	Previously Paid For	Present Extra	Rate	\$
<input checked="" type="checkbox"/> TOTAL CLAIMS	21	- 21	0	X \$ 50 =	
<input checked="" type="checkbox"/> INDEPENDENT CLAIMS	4	- 4	0	X \$ 200 =	
TOTAL OF ABOVE CLAIMS FEES =					
<input type="checkbox"/> Reduction by ½ for small entity status of applicant					SUBTOTAL =
<input type="checkbox"/> Fee for extension of time (per attached Petition)					
<input type="checkbox"/> Other fee for					
TOTAL OF ALL FEES =					

A CREDIT CARD PAYMENT FORM (PTO-2038) in the amount of \$0 is enclosed.

- The Commissioner is authorized to charge any fee, additional fee or extension fee due in connection herewith to Deposit Account No. 12-0555:
- (1) if no payment or an insufficient payment is enclosed and a fee is due in connection herewith; or
  - (2) if no petition for extension of time is enclosed but an EOT is required - and in this event, applicant hereby petitions under 37 CFR 1.136(a) for an extension of time of as many months as are required to render this submission timely.

Date: December 9, 2005

  
By: Ross F. Hunt, Jr.  
Registration No.: 24,082

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## REQUEST FOR RECONSIDERATION

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR:

In response to the Office Action mailed on September 22, 2005, reconsideration of the rejection of claim 1 – 21 is respectfully requested.

### Claim Rejections under 35 U.S.C. 102

Claims 1, 8, 16 and 19 have been rejected under 35 U.S.C. 102(e) as being anticipated by Spielman et al. (US Patent No. 6,560,318) ("Spielman"). This rejection is respectfully traversed.

Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration.<sup>1</sup> Additionally, each and every element must be arranged as in the claim.<sup>2</sup> Thus, there must be no difference between the claimed invention and the reference disclosure, as viewed by a person of ordinary skill in the field of the invention.<sup>3</sup>

Claim 1 concerns a system for providing voice mail service in an environment having multiple voice mail technology platforms. The system has a platform selector element for receiving information regarding a call placed to a subscriber, obtaining voice mail technology platform indicator information for the subscriber from a subscriber profile database, and selecting a voice mail technology platform by using the voice mail technology platform indicator information for the subscriber.

<sup>1</sup> W.L. Gore & Assocs. v. Garlock, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), cert. denied, 469 U.S. 851 (1984).

<sup>2</sup> Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co., 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984).

<sup>3</sup> Scripps Clinic & Research Fouhnd. v. Genetech Inc., 927 F.2d 1565, 18 USPQ2d 1001, 1010 (Fed. Cir. 1991).